

REMARKS

The Office action mailed on 21 May 2003 (Paper No. 8) has been carefully considered.

The specification and Abstract are being amended to correct minor errors and improve form. Entry of the Substitute Specification attached is respectfully requested. It is submitted that no new matter has been introduced. Claims 13, 23, 41 and 46 are being canceled without prejudice or disclaimer, and claims 1 thru 12, 14 thru 22, 24 thru 40, 42 thru 45 and 47 thru 52 are being amended. Thus, claims 1 thru 12, 14 thru 22, 24 thru 40, 42 thru 45 and 47 thru 52 are pending in the application.

In paragraph 2 of the Office action, the Examiner provisionally rejected claims 1, 2, 4 thru 8, 10 thru 12, 18 thru 22, 28 thru 33, 35 thru 40, 43 thru 45 and 50 thru 52 under the judicially created doctrine of obviousness-type double patenting for alleged unpatentability over claims 1, 4, 7, 19, 20 and 21 of Applicant's co-pending Serial No. 09/712,952. In paragraph 3 of the Office action, the Examiner provisionally rejected claims 3, 9 and 34 under the judicially created doctrine of obviousness-type double patenting for alleged unpatentability over claims 1, 4, 19 and 20 of Applicant's co-pending Serial No. 09/712,952 in view of Moore, U.S. Patent No. 4,926,089.

In paragraph 5 of the Office action, the Examiner rejected claims 1, 7, 32 and 37

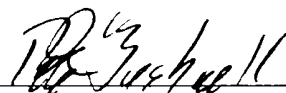
under 35 U.S.C. §102 for alleged anticipation by Good *et al.*, U.S. Patent No. 5,583,391. In paragraph 8 of the Office action, the Examiner rejected claims 21 and 45 under 35 U.S.C. §103 for alleged unpatentability over Good *et al.* '391 in view of Moore '089. In paragraph 10 of the Office action, the Examiner rejected claims 2 thru 5, 8 thru 11, 18 thru 20, 28 thru 31, 33 thru 35, 38, 39, 43, 44 and 50 thru 52 under 35 U.S.C. §103 for alleged unpatentability over Good *et al.* '391 in view of Moore '089. In paragraph 15 of the Office action, the Examiner rejected claims 6, 12, 22, 36 and 40 under 35 U.S.C. §103 for alleged unpatentability over Good *et al.* '391 in view of Moore '089, and further in view of Ohmae, U.S. Patent No. 6,388,370. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §102 or §103.

In paragraph 17 of the Office action, the Examiner objected to claims 13 thru 17, 23 thru 27, 41, 42 and 46 thru 49 for dependency upon a rejected base claim, but stated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In that regard, independent claims 1, 7, 21, 32, 37 and 45 are being amended to include the recitations of allowable dependent claims 13, 23, 41 and 46 relating to obtaining of the value M. This is consistent with the statement of allowable subject matter contained on page 9 of the Office action. Therefore, independent claims 1, 7, 21, 32, 37 and 45 (and their dependent claims) should now be in condition for allowance.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Amendment.

Respectfully submitted,



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